

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS  
PAUL VANDERHEIDEN

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
D. Greg Blankinship (Finkelstein, Blankinship, Frei-Pearson & Garber, LLP  
445 Hamilton Avenue, Suite 605  
White Plains, NY 10601

DEFENDANTS  
UBIQUITI NETWORKS, INC., ROBERT J. PERA, KEVIN RADIGAN, CRAIG L.  
FOSTER and MARK SPRAGG

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Securities Exchange Act of 1934 , 15 U.S.C. §§ 78j(b) and 78t(a)

Judge Previously Assigned

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

## IS THIS AN INTERNATIONAL ARBITRATION CASE?

No  Yes (PLACE AN  IN ONE BOX ONLY)

## NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	<input type="checkbox"/> 376 QUI TAM
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	INJURY/PRODUCT LIABILITY	21 USC 881	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> 385 PERSONAL INJURY	<input type="checkbox"/> 690 OTHER	28 USC 157	REAPPORTIONMENT
<input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY	<input type="checkbox"/> 388 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	PROPERTY RIGHTS		<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 340 MARINE	PERSONAL PROPERTY	<input type="checkbox"/> 820 COPYRIGHTS		<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 152 RECOVERY OF DEFECTUAL STUDENT LOANS (EXCL VETERANS)	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 830 PATENT		<input type="checkbox"/> 450 COMMERCE
	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		<input type="checkbox"/> 460 DEPORTATION
	<input type="checkbox"/> 385 MOTOR VEHICLE PRODUCT LIABILITY		<input type="checkbox"/> 840 TRADEMARK		<input type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	<input type="checkbox"/> 360 OTHER PERSONAL INJURY	<input type="checkbox"/> 380 OTHER PERSONAL PROPERTY DAMAGE		SOCIAL SECURITY	<input type="checkbox"/> 480 CONSUMER CREDIT
	<input type="checkbox"/> 362 PERSONAL INJURY - MED MALPRACTICE	<input type="checkbox"/> 385 PROPERTY DAMAGE	LABOR	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 160 STOCKHOLDERS SUITS		<input type="checkbox"/> 386 PROPERTY LIABILITY	<input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT	<input type="checkbox"/> 862 BLACK LUNG (923)	
<input type="checkbox"/> 190 OTHER CONTRACT			<input type="checkbox"/> 720 LABOR/MGMT RELATIONS	<input type="checkbox"/> 863 DIVC/DIVW (405(g))	
<input type="checkbox"/> 195 CONTRACT PRODUCT LIABILITY		PRISONER PETITIONS	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 850 SECURITIES/ COMMODITIES/ EXCHANGE
<input type="checkbox"/> 196 FRANCHISE		<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 751 FAMILY MEDICAL LEAVE ACT (FMLA)	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 890 OTHER STATUTORY ACTIONS
		<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE	<input type="checkbox"/> 790 OTHER LABOR LITIGATION	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 891 AGRICULTURAL ACTS
		<input type="checkbox"/> 28 USC 2265	<input type="checkbox"/> 791 IRS-THIRD PARTY	28 USC 7809	
		ACTIONS UNDER STATUTES			
		CIVIL RIGHTS			
		<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> 790 OTHER LABOR LITIGATION		<input type="checkbox"/> 893 ENVIRONMENTAL MATTERS
		<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 791 IRS-THIRD PARTY		<input type="checkbox"/> 895 FREEDOM OF INFORMATION ACT
		<input type="checkbox"/> 540 MANDAMUS & OTHER			
		<input type="checkbox"/> 440 OTHER CIVIL RIGHTS (Non-Prisoner)			
REAL PROPERTY			IMMIGRATION		
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 441 VOTING	PRISONER CIVIL RIGHTS	<input type="checkbox"/> 462 NATURALIZATION APPLICATION		
	<input type="checkbox"/> 442 EMPLOYMENT		<input type="checkbox"/> 465 OTHER IMMIGRATION ACTIONS		
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 443 HOUSING/ ACCOMMODATIONS	<input type="checkbox"/> 550 CIVIL RIGHTS			
<input type="checkbox"/> 230 RENT LEASE & EJECTION	<input type="checkbox"/> 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	<input type="checkbox"/> 555 PRISON CONDITION			
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 446 AMERICANS WITH DISABILITIES - OTHER	<input type="checkbox"/> 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT			
<input type="checkbox"/> 245 TORT PRODUCT LIABILITY					
<input type="checkbox"/> 290 ALL OTHER REAL PROPERTY	<input type="checkbox"/> 448 EDUCATION				

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint  
JURY DEMAND:  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
			<input type="checkbox"/> a. all parties represented			
			<input type="checkbox"/> b. At least one party is pro se.	<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)		

(PLACE AN x IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input checked="" type="checkbox"/> 3 FEDERAL QUESTION	<input type="checkbox"/> 4 DIVERSITY (U.S. NOT A PARTY)
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IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ]1 DEF [ ]1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF [ ]3 DEF [ ]3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ]5 DEF [ ]5
CITIZEN OF ANOTHER STATE	PTF [ ]2 DEF [ ]2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	PTF [ ]4 DEF [ ]4	FOREIGN NATION	PTF [ ]6 DEF [ ]6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Paul Vanderheiden

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Ubiquiti Network, Inc. 685 Third Avenue, 27th Floor, New York, NY 10017, New York County  
 Robert J. Pera, 685 Third Avenue, 27th Floor, New York, NY 10017, New York County  
 Craig L. Foster, 685 Third Avenue, 27th Floor, New York, NY 10017, New York County  
 Mark Spragg, 685 Third Avenue, 27th Floor, New York, NY 10017, New York County  
 Kevin Radigan, 685 Third Avenue, 27th Floor, New York, NY 10017, New York County

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

## COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE 2/21/2018

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO  
 YES (DATE ADMITTED Mo. 07 Yr. 2011)  
 Attorney Bar Code # GB1723

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)